

**Fredericksburg Area Metropolitan Planning Organization
Interagency Consultation group (ICG) Meeting
June 4, 2018**

Committee Members Present:

Mr. Erik Nelson, City of Fredericksburg
Mr. Dan Cole, Spotsylvania County
Mr. Joey Hess, Stafford County
Ms. Sonya Lewis-Cheatham, DEQ
Ms. Ciara Williams, DRPT
Mr. Paul Agnello, FAMPO
Mr. Ivan Rucker, FHWA (on-line call-in)
Mr. Rodney White, FRED
Ms. Diana Utz, GWRC
Mr. Chuck Steigerwald, PRTC/VDEQ (on-line call-in)
Mr. Jim Ponticello, VDOT Central Office
Mr. Stephen Haynes, VDOT District Office
Ms. Sonali Soneji, VRE

Members Absent:

Mr. Gregory Becoat, EPA
Ms. Melissa McGill, FTA

Others in Attendance:

Ms. Doris McLeod, DEQ
Mr. Doug Morgan, Spotsylvania County
Mr. Dan Grinnell, VDOT Central Office
Ms. Susan Gardner, VDOT District Office
Ms. Michelle Shropshire, VDOT District Office
Mr. Reinaldo Germano, VRE
Mr. Chris Salzahc, VRE

George Washington Regional Commission (GWRC) Staff:

Ms. Marti Donley, FAMPO
Ms. Briana Hairfield, FAMPO
Mr. Nick Quint, FAMPO
Ms. Kari Barber, FAMPO
Mr. John Bentley, FAMPO
Mr. Colin Cate, FAMPO

Welcome

Mr. Agnello thanked everyone for attending today's meeting. Mr. Agnello introduced Ms. Briana Hairfield as a new FAMPO employee. Mr. Agnello advised this is Ms. Hairfield's first day and she will be replacing Ms. Donley who will be retiring from FAMPO on June 30th. Mr. Agnello stated FAMPO is pleased to have Ms. Hairfield on board.

Introduction & Overview

Mr. Ponticello, with the VDOT Environmental department at the VDOT Central Office provided presentation at today's ICG meeting. Mr. Ponticello stated the purpose of the meeting is to update the ICG members on recent changes and to obtain regional conformity for Air Quality measures that will be implemented in the FY2018-2021 TIP & 2045 LRTP.

Mr. Ponticello advised that on February 16, 2018, the US Court of Appeals for the DC Circuit ruled that "the revocation of the 1997 NAAQS does not waive the unambiguous mandate that conformity requirements apply to orphan maintenance areas."

Mr. Ponticello stated that on April 23, 2018, FHWA/FTA issued interim guidance and regulations on conformity that essentially placed TIP/STIP/LRTP updates/amendments/revisions that include non-exempt projects "on hold" until conformity within a region has been demonstrated, at least until EPA provides further clarification.

Mr. Ponticello relayed the Interagency Consultation Group (ICG) membership roster is included in today's presentation and is designated by agency/entity. Mr. Ponticello stated FAMPO approved the ICG procedures in August of 2004. Mr. Ponticello advised consultation is required for models, methods, and planning assumptions that are consistent with the Fredericksburg region's 8-hour ozone maintenance plan that was approved by EPA on January 23, 2006.

ICG Membership Update

Mr. Ponticello advised the current ICG membership roster is included in today's presentation. Mr. Ponticello asked if membership representatives need to be updated, to please advise him accordingly. Mr. Ponticello stated the Fredericksburg 8-hour ozone maintenance area consists of the City of Fredericksburg and the Counties of Spotsylvania and Stafford.

Consultation Items

i. Models, Methodology & Assumptions

Mr. Ponticello advised that it has been a number of years since the conformity measures have been run. The Fredericksburg region previously was in a maintenance area from the 1997 8-hour ozone standards which EPA then finalized subsequent standards in 2008, which actually revoked the conformity requirements for previously designated maintenance areas. Mr. Ponticello

advised the last time conformity analysis was completed in this region was in 2013, at which time the FAMPO region remained in compliance.

Mr. Ponticello stated that in February of this year, a court decision that ruled among other things, also ruled the 1997 ruling does not coincide with a region's mandate to comply with conformity. However, results for this region are still applicable that shows the Fredericksburg region was in compliance with the both 2008 & 2015 8-hour ozone standards and regulations. The recent court decision stated these attainments are anti-back-sliding provisions and are required for regions to meet current conformity standards.

Mr. Ponticello stated that EPA did request another hearing that was held on April 23rd. As part of this hearing, FHWA & NCA issued an interim guidance to conformity. The new guidance potentially places all TIPS/STIP/LRTP on hold whereby non-exempt projects could not move forward.

Mr. Ponticello relayed today's meeting is to begin the process for the region being proactive in getting the plans in compliance so we can avoid major transportation projects throughout the region being held up. Mr. Ponticello stated the transportation conformity ruling requires that models/methodologies/assumptions be reviewed to ensure the analysis is updated and compliant.

Mr. Ponticello stated on September 26, 2011, DEQ submitted an 8-hour ozone maintenance plan revision to EPA that updated the NOx motor vehicle emissions budget for 2015 by using the MOVES model. On December 20, 2012, EPA published an approval of the NOx motor vehicle emissions budget in the Federal Register. Mr. Ponticello stated that at this time, no transportation control measures (TCMs) were included into the maintenance plan.

Mr. Ponticello advised that what transportation conformity does is that it requires a region to demonstrate that the total vehicle emissions projects from all plans within the TIP and Highway plan are below the vehicle emissions regulatory counts. Mr. Ponticello stated the requirements were included in the 1997 8-hour ozone maintenance plan that was developed by this region and adopted in the 2004 time frame.

Mr. Ponticello stated that periodically EPA releases mini models and these models referred to Mobil 6 that was released in the 2008/2009 time frame. Mr. Ponticello stated then EPA released an updated version called MOVES and MOVES resulted in a lot of higher emission regulations in the out years would be required.

Mr. Ponticello relayed that in the 2011 time frame, an update to the NOx motor vehicle emission required for this region would result in the region (City of Fredericksburg & Counties of Spotsylvania/Stafford) would be re-evaluated to ensure the region does not fall below the latest level of data being utilized.

Mr. Ponticello stated FY2021 is the last year of the current FY2018-2021 TIP and an update may not be needed at this time and VDOT is waiting for EPA to confirm. Mr. Ponticello stated that EPA advised analysis years would be on 10-year intervals beginning in 2025 and 2035 in the TIP and 2045 as the horizon year in the LRTP.

Mr. Ponticello stated that what is done regionally is an emissions analysis and transportation demand model is established. Mr. Ponticello stated that FAMPO staff runs the model using input such as land use, project lists, socio-economic data, etc. Mr. Ponticello relayed that initial project opening dates are important and are included into the project list. Also, hot-line VMT data is input for small roadway projects that are generally not included within a region's TIP or LRTP.

Mr. Ponticello relayed that Stafford County used to be connected to the old 1-hour maintenance ozone area that covered Northern Virginia and that only Stafford County still has the vehicle inspection emissions testing program as a requirement. Mr. Ponticello stated that Stafford County would still be modeled utilizing VMTT data. Mr. Agnello asked if this requirement applies to only northern Stafford County or the entire county. Mr. Ponticello relayed it would be applicable to the entire county. Mr. Ponticello also relayed that the region needs to be careful about its data collection for week-day traffic and needs to ensure it is consistent based on the 2014 data that is updated every 3 years.

ii. Conformity Analysis Schedule

Mr. Ponticello reviewed the Conformity Analysis schedule which is as follows:

June 15th – FAMPO staff will electronically deliver TDM output files to VDOT Environmental department

June 18th – FAMPO will authorize TAC to approve Conformity Report that will be submitted to FHWA

July 31st – VDOT Environmental department will complete emissions modeling and draft a Conformity Report

August 1st-6th – Internal review of draft Conformity Report by VDEQ, VDOT & FAMPO staff

August 8th – Special called TAC meeting to approve draft Conformity Report for public comment period to begin

August 9th – start of 14-day public comment period

August 23rd – public comment period ends

August 24th – VDOT/FAMPO staff will review and address public comments received from August 9th through August 23rd

August 27th – Special called TAC meeting (only if necessary) if adverse public comments were received prior to draft Conformity Report being submitted to FHWA

August 28th – VDOT will submit an e-copy of the Conformity Analysis Report to FHWA which will then result in a 45-day federal review period to begin

September 11th – VDOT will submit printed copies of Conformity Report to FHWA for their records

October 12th – Federal Conformity determination to be received to VDOT from FHWA.

iii. Project List for Conformity Analysis

Mr. Ponticello advised the conformity project list will focus on projects that are regionally significant and these would be projects that would normally be included within the regional travel demand model. Mr. Ponticello stated that projects that are not regionally significant are not typically modeled and would not impact the conformity analysis.

Mr. Ponticello stated the current project listing is included in today's presentation packet and he asked that the ICG members review the projects to see if any amendments/additions need to be made.

Mr. Morgan advised that UPC # 13558 which is an I-95 interchange relocation and widening project is listed as being a project in Spotsylvania County. Mr. Morgan relayed this project is actually a Stafford County project so the jurisdiction needs to be updated.

Ms. Soneji asked Mr. Agnello if the model would also include VRE projects. Mr. Agnello stated the current FAMPO TDM being utilized does not have transit capabilities; however, future models will include transit projects. Mr. Agnello stated the plan now will just include highway and bike/ped projects.

Ms. Utz asked Mr. Ponticello if the region gets to the point where we will need to utilize VRE and Vanpool/Bus calculations is this something that will be taken into consideration. Mr. Ponticello stated yes, the region is already including these projects within future models. Mr. Ponticello stated that in the past the region has never had a problem in demonstrating projects; however, with future transportation trends, more association with partnering agencies will need to occur.

Mr. Haynes stated VDOT has 2 secondary projects in Stafford County that are being considered and he is not sure whether these would need to be added to the existing project list. The 2 projects are UPC #100622 – Poplar Road improvements & UPC #107194 – Berea Church Road.

Mr. Agnello asked if the Berea Church Road project is adding additional capacity. Mr. Hess stated the project is listed as an improvement project that will take out existing curves, widen shoulders and make the road safer; however, is not going to be adding any additional lanes and is considered as a rehab/re-construction project. Mr. Ponticello stated projects of this nature are not considered in need of adhering to conformity requirements/regulations.

Mr. Agnello asked if the Poplar Road project is adding additional lane capacity or just improving existing roadway with additional turn lanes. Mr. Ponticello stated he would refer to the modeling experts in the room; however, in the past additional turn lanes are also projects that are not considered in the model. Mr. Agnello concurred that if lanes are not being added, this is not something that can be modeled by FAMPO staff.

Mr. Haynes stated that it is concurrence from the committee that the 2 projects mentioned do not need to be added to the existing project list. Mr. Ponticello stated they could still be added to the list to show they are fiscally constrained, with the intent of having the projects move forward. Mr. Ponticello stated it is good to have alternate projects on the list that are not necessarily needed for compliance requirements but are ones that can be referred to in the Conformity Analysis process and review. Mr. Ponticello stated if these projects are not on the project list then the region would need formal resolution process, TIP updates, etc. Mr. Ponticello stated if the projects are already on the project list for the conformity perspective then you could eliminate additional analysis being performed at a later time.

Mr. Haynes asked Mr. Ponticello if he was in receipt of an I-95 ramp improvement project at Exit 136 that VDOT District Office submitted at the close of last week. Mr. Ponticello stated the current project list in today's packet has not been updated from last week so he is not sure if the project information on Exit 136 has been received. Mr. Haynes asked Mr. Ponticello to follow-up as this is a Stafford County Smart Scale application that will add 2 additional turn lanes at Centreport Parkway so if not available for updating, then the project would need to be added.

Mr. Agnello stated there could be Smart Scale projects selected that are not currently constrained so this project could be one of them. Until the Smart Scale application process is completed, it is not necessary for FAMPO to do anything right now regarding updates to any plans, etc.

Mr. Agnello stated that after the Round 3 of the Smart Scale process is completed that a new conformity analysis will need to be completed anyway for the next 6-year plan for FY2025. Mr. Ponticello stated that as long as projects now are just for PE status, they can be added at a later date.

Mr. Agnello advised that this would require more than just a conformity update but would also require the LRTP be updated as well which requires a 2-month process. Mr. Agnello stated that staff is planning to complete an update in the spring of 2019 anyway so the updates could be made at that time.

Mr. Ponticello stated it does not make sense for the region to continue to demonstrate conformity based on standards from the past. Mr. Ponticello stated that in practical sense, he thinks it would be good to add/include new projects to ensure court decisions are complied with and to ensure that all projects recommended are able to move forward.

Mr. Agnello asked Mr. Ponticello if there is any chance that both Caroline & King George counties will be subject to Air Quality conformity regulations. Mr. Ponticello stated the only way this would happen for the 2 localities would be if the region enforced ozone levels that were in violation of the 2015 8-hour ozone standards. Mr. Ponticello stated this happening would be

very unlikely as the current ozone levels are 70 which is above what would require a new ruling to be implemented.

Public Comment Period – No public comments were given and the Public Comment period was closed.

Approvals & Next Steps

Mr. Ponticello made a motion that the ICG committee approve the conformity methodologies and assumptions as presented at today's meeting. Mr. Ponticello also added that motion to approve project list for conformity analysis, with corrections to be made as noted from committee members, also be approved.

Upon motion by Mr. Ponticello and seconded by Mr. Nelson, with all concurring, conformity methodologies/assumptions and project list was endorsed. Mr. Ponticello advised a special TAC meeting will be held on August 8th to approve final conformity assumptions and project list that would also initiate the public comment period.

Adjourn

The June 4th, 2018 ICG meeting adjourned at 9:40 a.m.